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E.V. DRAKE,

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UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

Plaintiff,

NORDSTROM INCORPORATED, et al.,

Defendants.

Case No. C18-351-JLR

REPORT AND RECOMMENDATION

Plaintiff E.V. Drake is proceeding *pro se* in the above-entitled action. Although plaintiff filed an application to proceed *in forma pauperis* ("IFP"), Dkt. 1, he did not use the correct form approved for use in this district. By letter dated March 9, 2018, the Court advised plaintiff that he must submit the Court's IFP application approved for use in this district by no later than April 9, 2018, or this action may be dismissed. Dkt. 2. Plaintiff was also sent a blank copy of the Court's IFP application. *See id*.

To date, however, plaintiff has failed to submit a properly completed IFP form or attempt to correct the deficiency. In addition, the deadline for plaintiff to correct and resubmit his IFP application has passed. Accordingly, the Court recommends that plaintiff's proposed complaint, Dkt. 1-1, be DISMISSED without prejudice for failure to pay the filing fee or submit an adequate

**REPORT AND RECOMMENDATION - 1** 

IFP application. A proposed order accompanies the Report and Recommendation. 2 3 4 5 6 7 May 18, 2018. 8 9 10 11 12 DATED this 20th day of April, 2018. 13 14 15 16 17 18 19 20 21 22

Objections to this Report and Recommendation, if any, should be filed with the Clerk and served upon all parties to this suit by no later than May 11, 2018. Failure to file objections within the specified time may affect your right to appeal. Objections should be noted for consideration on the District Judge's motion calendar for the third Friday after they are filed. Responses to objections may be filed within fourteen (14) days after service of objections. If no timely objections are filed, the matter will be ready for consideration by the District Judge on

This Report and Recommendation is not an appealable order. Thus, a notice of appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the assigned District Judge acts on this Report and Recommendation.

United States Magistrate Judge

rmer P. Donobue

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